

Effect of Jury Trial.

Under such a provision a recalcitrant witness who refuses to obey a subpoena may insist on a jury trial before the court can determine that he received the subpoena. A citizen summoned as a juror and refusing to obey the writ who is brought into court must be tried by a jury other than the jury which summoned him. Such a provision applies not only to judgments, but to evidence in the court case against persons. A suit may be tried in the court at first instance and carried to the Court of Appeals, and thence to the Supreme Court, and a judgment and decree entered and an order issued, and then if the defendant appeals, the case may be tried a third or not doing anything, and, if